

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Peakspeed, Inc.,

Civil File No. 0:20-cv-01630-JRT-BRT

Plaintiff,

**DECLARATION OF MATTHEW
BALDIN IN SUPPORT OF**

v.

**PLAINTIFF'S OPPOSITION TO
DEFENDANT'S MOTION TO DISMISS**

Timothy Emerson,

Defendant.

I, Matthew Baldin, state as follows:

1. I am employed by Plaintiff Peakspeed, Inc. ("Peakspeed") as a core developer. I submit this Declaration in support of Peakspeed's Opposition to Defendant's Motion to Dismiss. I have personal knowledge of the matters set forth in this Declaration, and if called to testify in this case I would and could competently testify as to such matters.

2. I started working for EmersonAI as an independent contractor in May 2019. I signed a Service Agreement that terminated on August 31, 2019. I do not have any other agreements with EmersonAI that may be made public.

3. I have worked remotely and exclusively for Peakspeed since January 2020.

4. I understood that Dave Eaton was the Chief Executive Officer of Peakspeed and that Tim Emerson was the Chief Technical Officer. Dave was in charge and everyone worked for Dave.

5. My salary is direct deposited to me. I know that Dave Eaton pays my salary; he finances all of Peakspeed's expenses.

I declare under penalty of perjury under the laws of the United States of America and the State of Colorado that the foregoing is true and correct.

Dated: October 1, 2020

By: /s/ Matthew Baldin
Matthew Baldin